

REMARKS

An Office Action was mailed on August 22, 2008. Claims 1-7 are pending.

INFORMATION DISCLOSURE STATEMENT

Applicant is filing herewith an Information Disclosure Statement for the review and consideration of the Examiner, which includes references cited in the International Search Report mailed August 1, 2005, for PCT/IB2005/050288.

TITLE

Applicant has amended the title to -- A System and Method for Positioning a Product Using a Laser Interferometer --.

OBJECTION TO THE CLAIMS

Claims 1-7 are objected to under 37 C.F.R. §1.75(c). Responsive thereto, Applicant has amended the claims to address ambiguities and other informalities.

Accordingly, it is respectfully requested that the Examiner withdraw his objection to the claims.

Claims 1, 2, 5 and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Hamada et al. (U.S. Patent 6,570,641). Claims 3 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hamada et al. in view of Cameron (U.S. Patent 5,363,196). Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hamada et al. in view of Hill (U.S. Patent 6,650,419).

Responsive thereto, claim 1 has been amended to now require *at least one laser interferometer for measuring the position of the chuck relative to the stationary base, a main part of said laser interferometer including optical components for receiving and directing a laser, the main part being attached to said intermediate stage and being movable therewith for measuring the distance between an elongated plane mirror reflector on the chuck that is*

elongated in the first direction X and an elongated plane mirror reflector on the stationary base that is elongated in the second direction Y. Support for such amendments can be found at least on page 1, lines 14-21; page 2, lines 20-22 and Figures 3-4. Claim 7 has been amended in a similar fashion and further to include method steps.

In the present claims, the chuck translates relative to the stationary base along the intermediate stage to which it is supported. Because the main part of the laser interferometer is attached to the intermediate stage, the reflector on the chuck needs to accommodate the relative movement between the chuck and the intermediate stage in order for the laser interferometer to be effective. Thus, having an elongated reflector on the chuck allows the laser interferometer to associate with the chuck during its movement relative to the intermediate stage. Similarly, having an elongated reflector in the stationary base allows the laser interferometer to associate with both the chuck and the intermediate stage during movement of the intermediate stage relative to the stationary base and the chuck.

Hamada et al. only discloses elongated reflectors 62, 66 on the stationary base 16. Hamada et al. does not disclose an elongated reflector on the chuck 20 as is clearly shown with reference to reflector 80 in FIGS. 5A and 5B. Accordingly, the laser interferometer positioning and measuring that is obtained in accordance with the present claims is not met with the teaching of Hamada et al.

The Manual For Patenting Examining Procedure (MPEP) § 2131 clearly sets forth the standard for rejecting a claim under 35 U.S.C. § 102(b). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (MPEP § 2131, quoting Verdegaal Bros. v. Union Oil Co. of California 2 USPQ2d 1051, 1053 (Fed Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the ...claim.” (MPEP § 2131, quoting Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). “The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e. identity of terminology is not required.” (MPEP § 2131, citing In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990)).

In this case, Hamada et al. fails to teach the claimed invention, as amended, and as required by the MPEP, for the reasons noted above. Thus, claim 1 is believed to be allowable over Hamada et al. Furthermore, in view of the secondary citations under §103(a), the remaining claims are believed to be allowable through dependency.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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